

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

MARCUS TATE,)	
)	
Plaintiff,)	
)	
vs.)	Case Number CIV-21-113-C
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff filed a Motion for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) ("EAJA"). The parties have now filed a stipulation agreeing to an award of \$5,500.00 in EAJA fees and costs in the amount of \$402.00. In light of the stipulation, the Court grants Plaintiff's Motion in part. Defendant is directed to issue payment in accordance with the governing law. Additionally, in the event Plaintiff later requests and receives an attorney's fee award pursuant to 42 U.S.C. § 406(b), the smaller amount should be refunded to Plaintiff by his counsel. Weakley v. Bowen, 803 F.2d 575, 580 (10th Cir. 1986).

As set forth more fully herein, Plaintiff's Motion for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act (Dkt. No. 30) is GRANTED in part. Plaintiff is awarded attorney's fees in the amount of \$5,500.00 and costs in the amount of \$402.00.

IT IS SO ORDERED this 31st day of May 2022.


ROBIN J. CAUTHRON
United States District Judge